

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LOUIS A. PICCONE,

Plaintiff,

v.

BLOCK 865 LOT 300 LLC, JOHN
DIFORTE, MARLA DIFORTE, AVERY
GROSS, JOSEPH VOTTO,
CHRISTOPHER ALBEE, and VOTTO
AND ALBEE, PLLC,

Defendants.
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ORDER

21-CV-3901 (WFK) (TAM)

WILLIAM F. KUNTZ, II, United States District Judge:

On September 13, 2024, the Honorable Magistrate Judge Taryn A. Merkl issued a *sua sponte* Report and Recommendation (“R&R”) recommending dismissal of Plaintiff’s complaint for lack of subject matter jurisdiction. ECF No. 25.

The parties did not file any objections to the R&R, which were due by Friday, September 27, 2024. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(2). The Court reviews an R&R for clear error when no objections have been filed. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (Garaufis, J.). The Court finds no such error here and therefore adopts the R&R in its entirety. Specifically, the Court **DISMISSES** the above-captioned action. In light of this action’s dismissal, the Court **DENIES** the pending motions to dismiss as moot. *See* ECF Nos. 15, 16.

The Clerk of Court is respectfully directed to close the case and to terminate the pending motion at ECF No. 25. The Clerk of Court is further respectfully directed to mail a copy of this order to Plaintiff at his last known address(es) and note the mailing on the docket.

SO ORDERED.

HON. WILLIAM F. KUNTZ, II
UNITED STATES DISTRICT JUDGE

Dated: September 30, 2024
Brooklyn, New York